

# 2013 ANNUAL REPORT

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## ALTERNATIVE SENTENCING COURTS

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## ALTERNATIVE SENTENCING COURTS OVERVIEW

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### **ALTERNATIVE SENTENCING CENTER STAFF**

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*Mary Epping,  
Assistant Court  
Administrator and  
Alternative Sentencing  
Court Supervisor*

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*Michael Princivalli,  
Treatment Court  
Administrator*

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*Clayton VanNurden,  
Treatment Court  
Administrator*

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*Brandy Clark,  
Veterans Court Mentor  
Coordinator*

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*Cheli Haley,  
Administrative  
Assistant and Grants  
Manager*

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*Nancy Krippner,  
Alternative Sentencing  
Receptionist*

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Alternative Sentencing Courts are treatment-based alternatives to prisons, detention centers, jails, and standard probation models. The criminal justice system works with treatment, law enforcement, and other community systems to provide an offender with the tools to get into recovery, stay in recovery, and lead a productive, crime-free life. Alternative Sentencing Courts intend to help a person change his or her life and to stop criminal activity by focusing on rehabilitation as opposed to punitive methods. Alternative Sentencing Courts are used for a variety of case types and molded to fit the circumstances of each defendant.

Participation in an Alternative Sentencing Court may be voluntary or ordered as a condition of probation. While active in the program, participants appear for regular court appearances before an Alternative Sentencing Court Judge and participate in treatment. Qualified agencies within the community provide treatment such as drug testing, individual counseling, and group counseling. The participants are to obtain and maintain employment or involvement in vocational or educational programs as directed. Participants are also encouraged to utilize 12-step meetings such as Narcotics Anonymous and Alcoholics Anonymous. The length of participation in an Alternative Sentencing Court program is determined by a participant's progress, which is generally a minimum of one year and no longer than two years.

Currently, the 13<sup>th</sup> Judicial Circuit of Missouri offers the following Alternative Sentencing Court programs: Drug Court in Boone and Callaway Counties, Boone County Mental Health Court, DWI Court in Boone and Callaway Counties, and Veterans Court in Boone and Callaway Counties.

### **Tracks**

Participants can enter an Alternative Sentencing Court in one of four tracks: pre-plea diversion, post-plea diversion, probation, and reentry. A description of each track is listed below.

Track:	Pre-Plea Diversion
Offered by:	Boone County Drug Court Boone County Mental Health Court 13 <sup>th</sup> Judicial Circuit Veterans Court

**Description:** The pre-plea track is for first-time felony offenders. Individuals found eligible for this track are given the opportunity to participate in an Alternative Sentencing Court before entering a plea for their case. If a pre-plea diversion participant successfully graduates from an Alternative Sentencing Court, the felony charge against them will be dropped. If they are unsuccessful, the legal proceedings will begin where they left off.

**Track:** Post-Plea Diversion  
**Offered by:** Boone County Drug Court  
Callaway County Drug Court  
Boone County Mental Health Court  
13<sup>th</sup> Judicial Circuit Veterans Court

**Description:** Post-plea diversion participation is reserved for those defendants who would be eligible for the pre-plea track, but the Prosecuting Attorney finds a pre-plea agreement unacceptable. Post-plea diversion participants must first plead guilty to their charge before beginning Alternative Sentencing. If they are successful, the plea can be withdrawn and the charges can be dropped; if unsuccessful, the defendants will receive a pre-determined sentence, agreed upon beforehand by the defendant and attorneys.

**Track:** Probation  
**Offered by:** Boone County Drug Court  
Callaway County Drug Court  
Boone County Mental Health Court  
Boone County DWI Court  
Callaway County DWI Court  
13<sup>th</sup> Judicial Circuit Veterans Court

**Description:** Offenders who are currently on probation, or who will be sentenced to probation can be ordered to participate in an Alternative Sentencing Court as a part of their probation requirements. If the program is not completed successfully, then the participant is violating probation and faces a revocation of his or her probation and possible incarceration. If the participant is successful, their time on probation may be shortened.

**Track:** Reentry  
**Offered by:** Boone County Drug Court  
Callaway County Drug Court  
Boone County Mental Health Court  
Boone County OnTrack Court (section 559.115, RSMo only)  
Boone County DWI Court  
Callaway County DWI Court  
13<sup>th</sup> Judicial Circuit Veterans Court

**Description:** Reentry participants are sentenced to an Alternative Sentencing Court as a part of their probation immediately following their release from incarceration. Eligible candidates are exiting from the Department of Corrections after participating in a 120 days of shock incarceration (section 559.115, RSMo) or long term treatment (section 217.785, RSMo).

## **Phases**

Often a participant's progression through an Alternative Sentencing Court is divided into three phases. Phases are utilized by all the treatment courts of the 13<sup>th</sup> Judicial Circuit with the exception of the Boone County Mental Health Court. A description of each phase follows:

Phase: I

Description: During Phase I participants are expected to attend court weekly, meet with their probation officer as scheduled, engage in random drug testing, and attend treatment sessions as required. Participants are also encouraged to utilize 12-step meetings and sometimes asked to seek an AA or NA sponsor. During this time participants and team members become acquainted with each other, and team members begin to assess specific factors regarding the participant's treatment, medical, educational, housing, and employment needs.

Phase: II

Description: Once participants have successfully maintained all of the requirements of Phase I for a minimum of one month, they are moved into Phase II. In Phase II there is often a decrease in treatment requirements, probation officer visits, and court appearances. Participants are still required to participate in random drug testing and encouraged to attend 12-step meetings. The treatment focus also shifts from obtaining sobriety towards relapse prevention. Most participants are expected to actively seek employment or enroll in educational programs while in this phase. As not all Alternative Sentencing Courts are identical, some programs require that participants complete 40 hours of community service or begin phase II over if they relapse.

Phase: III

Description: Phase III, the final phase of an Alternative Sentencing Court, focuses on preparing a continuing care plan for post-graduation. In addition to maintaining all court requirements, participants must have a job, be enrolled in an educational program, or a combination of the two. Court dates are decreased to about once a month as participants prepare for graduation.

## **Court Appearances**

Alternative Sentencing Court participants are required to appear in court on a regular basis. At each appearance, the Judge is given a progress report prepared by Alternative Sentencing Court Team Members regarding drug test results, attendance, participation, and compliance. The judge may ask the participant questions about his or her progress, and discuss any specific problems the participant may have. If doing well, the participant is encouraged to continue to work toward graduation. If not, the Judge will discuss problems with the participant and Team Members to determine further action.

## **Drug Testing**

At entry, each participant is assigned a color for random drug testing. Every participant must call the random drug testing line daily to determine if his or her color was selected for that day. When the participant's color is called, s/he has from 5:30 a.m. until 10:00 a.m. to submit a drug test. The judge will impose additional sanctions for failing to submit to a drug test. Additional testing may be required

at the discretion of the Alternative Sentencing Team and is required before and after traveling out of the county.

### **Participant Journals**

Upon acceptance into an Alternative Sentencing Court all participants are expected to keep a personal journal. The court gives a journal to each participant at their first court appearance and the judge provides a weekly topic for the journal entries. The purpose of the journal is to provide the judge with each participant's personal perception of Alternative Sentencing related topics including personal problems of recovery and short-term and long-term goals.

### **Treatment**

An initial treatment plan is developed by an Alternative Sentencing Court Team following an overall assessment of a participant's education, employment history, housing situation, life skills, substance abuse, and mental health history. The plan serves as a guide for the initial treatment phase. The plan is maintained by the Alternative Sentencing Court Team and is updated as the participant progresses through the program.

Participation in counseling is required as part of the Alternative Sentencing Court program. The Alternative Sentencing Court Team assesses the level and intensity of treatment that best meets a participant's needs. A recommendation is then made to the Alternative Sentencing Court Judge indicating whether the participant should receive detoxification, residential, or outpatient treatment. If not admitted to a residential treatment program, an outpatient program is developed tailored to each participant's individual needs. The outpatient plan can include both individual and group therapy. Attendance at counseling sessions is reported to the Alternative Sentencing Court Judge as part of the participant's progress report.

Attendance at 12-step meetings such as Narcotics Anonymous and Alcoholics Anonymous is a helpful part of the recovery process. Participants are encouraged to attend these meetings to familiarize themselves with the 12-step philosophy and to create social bonds with others in recovery. Participants can provide proof of attendance to their probation officer prior to each court appearance.

### **Incentives**

An Alternative Sentencing Court Team may adjust a participant's treatment plan to reflect the participant's success in the program. The client may come to court less often, treatment groups may be reduced, and contact with his or her probation officer may be scaled back. Successful completion of the Alternative Sentencing Court program may result in dismissed charges, shorter probation terms, or reduced sentencing.

### **Program Transfers**

In some instances, once a participant begins treatment it becomes clear that one of the other Alternative Sentencing Courts might be more appropriate. If the other Alternative Sentencing Court finds the individual acceptable and the participant wishes to switch programs, he or she will be transferred from one Alternative Sentencing Court into another. Participants can choose to remain in their original court; however, the impetus to screen for another court is generally because they are not

doing well and may face termination. Because each court is structured similarly, transitioning from one program to another is relatively seamless.

### **Sanctions and Termination**

The following violations may result in program sanctions: missing appointments, warrants and/or new arrest, missing or testing positive on drug tests, demonstrating a lack of program response by failing to cooperate with the program, and violence or threats of violence directed at the Alternative Sentencing Team Members or others. Sanctions can include increased court appearances, additional meetings with treatment providers and/or probation officers, additional community service, incarceration, or termination from the program. The Alternative Sentencing Court Judge makes the final decisions regarding sanctions and termination from the program.

### **Successful Program Completion**

Participants eligible for successful discharge from an Alternative Sentencing Court program must have satisfactory attendance at all treatment, probation, and court meetings. They must also meet with their counselor to verify, discuss, and reinforce their continuing recovery plan prior to exit. In addition participants are required to complete a graduation essay in which they discuss key concepts of recovery and sobriety as well as their opinions of the program. A graduation ceremony is held for participants that successfully complete the Alternative Sentencing Court programs for Boone County Mental Health Court, Callaway County DWI Court, and the Drug Courts of Boone and Callaway Counties.

## DRUG COURT

### **PERFORMANCE MEASURES**

#### **Boone County**

*Referrals: 249*

*Denied Referrals: 110*

*Admissions: 107*

*Graduates: 37*

*Terminations: 44*

#### **Callaway County**

*Referrals: 32*

*Denied Referrals: 3*

*Admissions: 26*

*Graduates: 6*

*Terminations: 10*

#### **Combined**

*Referrals: 281*

*Denied Referrals: 113*

*Admissions: 133*

*Graduates: 43*

*Terminations: 54*

The first treatment court in the 13<sup>th</sup> Judicial Circuit was Drug Court. It was first offered in Boone County in 1998 and later expanded to Callaway County in 2001. The program was based on the original drug court model, which was a simple diversion program. Those admitted were mostly first time offenders who had been diagnosed with alcohol or drug addiction and did not have a violent history.

The Drug Courts of the 13<sup>th</sup> Judicial Circuit have since expanded to be more inclusive and offer the program to many offenders who were not eligible for the original drug court model. Several different tracks have been established and the diversion track has been split into two sub-tracks: the pre-plea diversion track and the post-plea diversion track. In 1999, the probation and reentry tracks were added to the program. The probation track is offered to substance-abusing offenders who are not eligible for a diversion track due to the nature of the crime or previous felony convictions and do not receive prison time for the new conviction. The reentry track is offered to felony offenders who have a substance abuse addiction problem and have successfully completed an institutional substance abuse treatment program or period of shock incarceration.

Referrals and Admissions			
Boone County		Callaway County	
Referrals	249	Referrals	32
Pending Referrals	31	Pending Referrals	3
Referrals Denied	110	Referrals Denied	3
Admissions	107	Admissions	26
Admissions by Track		Admissions by Track	
Pre-Plea	13	Pre-Plea	0
Post-Plea	11	Post-Plea	2
Probation	56	Probation	19
Reentry	27	Reentry	5

This year there were a total of 281 defendants referred to the 13<sup>th</sup> Judicial Circuit Drug Courts. Of those there were 133 defendants admitted into the program and 113 were denied admission. Thirty-four



of the referred cases remained in a pending status at the end of 2013. The table on the previous page shows the admissions data for Boone County and Callaway County separately.

Boone County admitted 107 defendants in 2013. Sixteen of those admissions were referred in 2012 but not admitted until 2013, and 91 admissions were referred and admitted into the Boone County Drug Court in the same year. The ages of the participants at admission ranged from 17 years old to 61 years old. The age brackets along with the race, gender, and level of education for the participants admitted in 2013 can be seen on the table below.

Boone County						
Gender		Age		Level of Education		
Male	86	17-18	8	Less Than High School Diploma	31	
Female	21	19-21	22	High School Equivalency/GED®	12	
Race		22-30	40	High School Diploma	18	
White	65	31-40	21	Some Secondary Education	23	
Black	41	41-50	8	Degree/License/Certification	13	
Hispanic	1	50+	8	Education Unknown	10	

Callaway County admitted 26 participants in 2013. Just like in Boone County, the youngest participant in the Callaway County Drug Court was also 17 years of age. The ages ranged from 17 to 53 this year, and the population within the Court was predominantly white males. More detailed information regarding Callaway County's Drug Court admission data is below.

Callaway County						
Gender		Age		Level of Education		
Male	18	17-18	4	Less Than High School Diploma	5	
Female	8	19-21	2	High School Equivalency/GED®	1	
Race		22-30	14	High School Diploma	4	
White	22	31-40	1	Some Secondary Education	2	
Black	4	41-50	4	Degree/License/Certification	1	
		50+	1	Education Unknown	13	

The Boone County Drug Court tracks all positive drug testing results which are shown in a table on the next page. It should be noted that on a case-by-case basis some participants are given permission from the Drug Court Team to continue medication prescribed to them prior to entry into the program, and some may be given permission to temporarily take a medication prescribed to them due to illness, injury, or surgery. Often these medications will cause positive test results for the following substances:

amphetamines, benzodiazepines, and opiates. The Callaway County Drug Court does not track the drug testing results of their participants for the purpose of including those numbers in the annual report, therefore that data is not provided.

The Boone County Drug Court is held weekly on Tuesday afternoons, and court was held a total of 40 days in 2013. On average eight participants are admitted each month, and the program maintains an average monthly capacity of 79 participants. The Boone County Drug Court Team meets weekly before court to discuss the progress of the participants.

Boone County Drug Court Positive Drug Test Results	
Alcohol	54
Amphetamine	116
Benzodiazepine	21
Cocaine	15
Marijuana	136
Opiates	47
Phencyclidine	1

Boone County Drug Court Team Members
<b>Christine Carpenter</b> , Boone County Circuit Judge, Division I Serves as the Judge of the Drug Court.
<b>Michael Princivalli</b> , Drug Court Administrator Manages the day-to-day running of the Drug Court.
<b>Amanda Douglass</b> , Probation and Parole District 6 Probation Officer Supervised the progress of each participant while in the program.
<b>Christina Wyatt</b> , Probation and Parole District 6 Probation Officer Supervised the progress of each participant while in the program.
<b>Jennifer Simons</b> , Probation and Parole District 6 Probation Officer Supervised the progress of each participant while in the program.
<b>Sara Gonzalez</b> , McCambridge Center Counselor Supervises and provides mandatory treatment for all female program participants.
<b>Robert Brubeck</b> , Reality House Clinical Services Counselor Supervises and provides mandatory treatment for all male program participants.
<b>Dennis Winfrey</b> , Reality House Programs Executive Director Oversees and manages the Reality House Programs corporate operation.
<b>Jenean Thompson</b> , Public Defender Protects participants' due process rights while encouraging program participation.
<b>Stephanie Morrell</b> , Assistant Prosecuting Attorney Ensures that participants are appropriate for the program and complies once admitted.

The Callaway County Drug Court Team meets on Mondays for a staffing before court. Court was held a total of 46 days in 2013. The Callaway County Drug Court averages 2 admissions per month, and the program maintains a monthly average of 16 participants.

Callaway County Drug Court Team Members	
<b>Carol England</b> , Callaway County Associate Circuit Judge, Division VI	Serves as the Judge of the Drug Court.
<b>Michael Princivalli</b> , Drug Court Administrator	Manages the day-to-day running of the Drug Court.
<b>Casey Clevenger</b> , Assistant Prosecuting Attorney	Ensures that participants are appropriate for the program and complies once admitted.
<b>Derek Hux</b> , Public Defender	Protects participants' due process rights while encouraging program participation.
<b>Stephen Dittmer</b> , Family Counseling Center Counselor	Supervises and provides mandatory treatment for all program participants.
<b>Thomas Powell</b> , Probation and Parole District 26 Probation Officer	Supervised the progress of each participant while in the program.
<b>Curtis Hall</b> , Callaway County Sheriff's Deputy	Acts as a liaison between the Sheriff's Department and the DWI Court Team reporting contact law enforcement with participants.
<b>Dall Hedges</b> , Fulton Police Officer	Acts as a liaison between the Fulton Police and the DWI Court Team reporting law enforcement contact with participants.

The Drug Courts of the 13<sup>th</sup> Judicial Circuit exited 109 participants in 2013. To successfully complete the program a participant must remain in the program for a minimum of one year. Both Drug Courts hold graduations four times a year, and those who successfully completed the program in 2013 were in the program for an average of 380 days. And for those who did not, their participation time averaged 130 days or approximately four months. The discharge data is listed on the table below.

Discharge Data			
Boone County		Callaway County	
Successful Completion	37	Successful Completion	6
Termination	44	Termination	10
Administrative Discharge	2	Administrative Discharge	1
Transfer to Other Treatment Court	8	Transfer to Other Treatment Court	1

## Mental Health Court

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### **PERFORMANCE MEASURES**

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#### **Admissions/Exits**

*Referrals: 117*

*Denied Referrals: 75*

*Admissions: 37*

*Graduates: 15*

*Terminations: 23*

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#### **Recidivism**

*(Measured five years  
post-graduation)*

*Number of Convictions  
or Guilty Pleas for  
felony offenses: 2*

*Percentage of  
graduates who have at  
least one felony  
conviction or plead  
guilty to a felony  
offense: 11%*

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In Missouri, as in other states, deinstitutionalization of the mentally ill from state institutions has led to increased instances of this population being found in the criminal justice system. As a result Mental Health Courts were developed to deal with this special population. Boone County's Mental Health Court was established in response to the increased numbers of mentally ill persons found in the local jail population. The first court appearance was held on April 22, 2003.

The Boone County Mental Health Court received its initial funding from Boone County's special law enforcement tax Proposition L and a grant from the Bureau of Justice Administration. Today the Mental Health Court continues to be funded through Proposition L in addition to other sources such as participants' Medicaid or private insurance and the Missouri Department of Mental Health.

In the regular court system defendants often interact with a number of different defense attorneys, prosecutors, and judges, all for the same case. Mentally ill offenders under the previous system often spent unnecessary time in jail and, lacking access to mental health treatment services, often became repeat offenders. A treatment focused approach allows the justice system to aid in identifying and addressing the unique needs of the mentally ill offender as well as aids in addressing the issues that led to the defendant's criminal charges.

The Mental Health Court program is a supervised, comprehensive treatment program for non-violent misdemeanor and felony offenders who require mental health treatment. The program includes regular court appearances, drug testing, and individual and group counseling.

Referrals to the Mental Health Court are taken from all sources and are often more than a hundred per year. In 2013, there were 117 defendants referred to the Court plus an additional 12 pending referrals from 2012 that carried over into 2013. Each defendant is screened by the Mental Health Court Administrator and Burrell Behavioral Services. It is common that many do not meet the necessary criteria and are found to be ineligible for the program. In comparison to the other treatments of the 13<sup>th</sup> Judicial Circuit, the Mental Health Court typically sees the highest number of non-admissions. The next page shows the reasons for the 75

defendants that were not admitted in 2013. Seventeen referred cases remained in a pending status since the defendants were unable to complete their screening by the end of the year.

Reason for Non-Admission	
The defendant referred did not want to participate or absconded	7
The charge or diagnosis of the defendant referred did not meet eligibility requirements	5
The defendant referred was admitted to Drug Court	7
The defendant referred was not eligible for readmission into the program	4
The defendant referred did not meet the eligibility requirements of the program	8
The defendant referred was not ordered to participate or was sent to Department of Corrections	22
The MHC Team did not feel the defendant referred was appropriate for the program	22

Participants can enter Mental Health Court in one of four tracks: pre-plea diversion, post-plea diversion, probation, or reentry. In 2013, there were 36 participants admitted to the probation track and one

Gender		Age		Level of Education	
Male	22	17-18	1	Less Than A High School Diploma	10
Female	15	19-21	1	High School Equivalency/GED®	2
Race		22-30	17	High School Diploma	3
White	17	31-40	13	Some Secondary Education	14
Black	20	41-50	3	Bachelor's Degree	3
		51+	2	Education Unknown	5

participant admitted to the reentry track. The table above shows the admissions data collected for the year 2013 and broken down into gender, race, age, and level of education at admission.

Positive Drug Test Results	
Amphetamine	3
Cocaine	2
Alcohol	8
Opiates	4
Marijuana	34

Testing for the Mental Health Court participants during the year resulted in 51 positive drug tests. The substances and the number of positive results of each are listed on the table to the left. It should be noted that some positives reported below may have been the result of a medication temporarily approved by the Mental Health Court Team that a participant takes at the recommendation of a physician.

The average number of participants admitted into the program each month was three, and the program maintained an average of 26 participants each month. Staffing and court for the Mental Health Court was held on Tuesday afternoons and met 42 times in 2013. The members of the Mental Health Court Team are listed on the next page.

Boone County Mental Health Court Team Members	
<b>Michael Bradley</b> , Boone County Associate Circuit Division IX Judge	Serves as the Judge of the Mental Health Court
<b>Clayton VanNurden</b> , Mental Health Court Administrator	Manages the day-to-day running of the Mental Health Court
<b>Rose Heard</b> , Probation and Parole District 6 Probation Officer	Supervised the progress of each participant while in the program
<b>Courtney Pollard</b> , Burrell Behavioral Health Community Support Supervisor	Supervises and provides mandatory treatment for all program participants
<b>Rob Harrison</b> , Reality House Clinical Services Director	Supervises the treatment of all program participants
<b>Merilee Crockett</b> , Assistant Prosecuting Attorney	Ensures that participants are appropriate for the program and complies once admitted
<b>Karla Jackson</b> , Burrell Behavioral Health Community Case Worker	Assists participants with their day-to-day responsibilities while in the program
<b>Jennifer Cook</b> , Burrell Behavioral Health Community Case Worker	Assists participants with their day-to-day responsibilities while in the program
<b>Vladic Kostin</b> , Burrell Behavioral Health Community Case Worker	Assists participants with their day-to-day responsibilities while in the program
<b>Chris Lynch</b> , Burrell Behavioral Health Community Case Worker	Assists participants with their day-to-day responsibilities while in the program

In 2013, the Boone County Mental Health Court saw 42 participants leave the program. Of those 42 there were 4 participants that transferred to the Veterans Treatment Court, 15 that successfully completed the program, and 23 that exited unsuccessfully.

Recidivism of participants who successfully completed the Mental Health Court was also studied this year. The time period includes the date a graduate exited the Mental Health Court program in 2008 through June 30, 2013. In 2008 there were 9 graduates. Fourteen criminal cases were filed against 4 of the 9 graduates. The charges that brought the participants who reoffended to the Mental Health Court can be seen below and then compared to the charges pressed against them after graduation shown on the next page. Only criminal cases within the State of Missouri were searched, and cases that were dismissed are not included.

Charges of the Reoffending Graduates at Admission	
Stealing Related Ofns-3 <sup>rd</sup> Ofns – Stealing, Buying, Receiving, Robbery (Felony D)	2
Assault/Attempt Assault-L/E, C/O, E/P, Hwy Wkr In Construction/Wrk Zone, Utility Wrkr Or P&P-Physical Contact-3 <sup>rd</sup> Deg (Misdemeanor A)	1
Endangering The Welfare Of A Child, 2 <sup>nd</sup> Degree (Misdemeanor A)	1
Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana (Felony C)	2

**Charges Graduates Received  
After Successful Completion in 2008**

Operated Vehicle On Hwy Without Valid License – 1 <sup>st</sup> Or 2 <sup>nd</sup> Offense (Misdemeanor A)	4
Person, Firm, Corp Or Assoc Violating Any Of The Order/Ordinances Adopted, Promulgated, Published By County Comm (Misdemeanor A)	1
As Owner, Oper Or Auth Another To Oper A Mtr Veh W/Out Maintain Financial Responsibility (Misdemeanor C)	2
Fail To Display Plates On Mtr Veh/Trl (Infraction)	2
Driver/Front Seat Passenger Fail To Wear Properly Adjusted/Fastened Safety Belt (Infraction)	2
Fail To Properly Affix/Display Tab On Motor Vehicle License Plate (Infraction)	1
Forgery (Felony C)	1
Theft/Stealing-Value Of Property Or Services Is \$500 Or More But Less Than \$25,000 (Felony C)	1
Assault 3 <sup>rd</sup> Degree – Pursuant To Subdivisions 1, 2, 4, 6 (Misdemeanor A)	1
Possession Of Up To 35 Grams Marijuana (Misdemeanor A)	1
Theft/Stealing-Value Of Property Or Services Is Less Than \$500 (Misdemeanor A)	2
DWI-Alcohol (Misdemeanor B)	2
Leaving Scene Of Motor Vehicle Accident (Misdemeanor A)	1
Unlawful Use Of Drug Paraphernalia (Misdemeanor A)	1

## OnTrack Court

### PERFORMANCE MEASURES

#### Admissions/Exits

Admissions: 18

Graduates: 31

Terminations: 25

#### Recidivism

*(Measured five years  
post-graduation)*

*Number of Convictions  
or Guilty Pleas for  
felony offenses: 8*

*Percentage of  
graduates who have at  
least one felony  
conviction or plead  
guilty to a felony  
offense: 24%*

Reintegration Courts were created to provide continued support and supervision of offenders released from state correctional facilities in an effort to reduce probation revocation and recidivism. The Reintegration Court in Boone County began as a pilot program in 2007 and ended in November of 2010. Boone County gave the reintegration court program a second chance when it partnered with the Office of State Courts Administrator and the Missouri Department of Corrections for a federal grant to fund the OnTrack Court. The grant funded the OnTrack Court from January 7, 2011, to September 24, 2013. At the closure of the Court, participants who had not completed the program were moved to one of the other treatment courts based on their needs.

The Boone County OnTrack Court was a court-supervised program which accepted participants after successfully completing 120 days in the Missouri Department of Corrections (Section 559.115, RSMo). The program was ordered as a condition of the offender's probation, and the emphasis of the program was placed on housing, employment or education, mental health and/or substance abuse treatment, and transportation. In addition to counseling and assistance in these areas, participation also required to provide random drug testing and attend regular court appearances with the OnTrack Judge.

Anticipating the program coming to an end, in 2013 there was a considerable drop in those ordered to participate in the OnTrack Court. Only 18 offenders were admitted to the OnTrack Court in 2013 compared to 79 the year before. The table below shows the 18 participants divided

Gender				Age		Level of Education	
Male	14	18-21	4	Female	4	Less Than A High School Diploma	4
		22-30	3			High School Equivalency/GED®	7
Race		31-40	7			High School Diploma	3
White	14	41-50	2			Some Secondary Education	3
Black	4	51-60	2			Associates Degree	1



into groups of race, gender, age, and education. The youngest participant admitted was 18 years old and the oldest was 59.

The OnTrack Court was held a total of 33 days in 2013, and maintained an average of approximately 28 participants in the program each month. The participants were supervised by an eight member team that included the individuals listed below.

OnTrack Treatment Court Team Members	
<b>Michael Bradley</b> , Boone County Associate Circuit Judge, Division IX	Serves as the Judge of the OnTrack Court.
<b>Clayton VanNurden</b> , OnTrack Court Administrator	Manages the day-to-day running of the OnTrack Court.
<b>Megan Jones</b> , Probation and Parole District 6 Case Manager	Assisted the probation officer in maintaining files and supervising participants.
<b>Zane Hake</b> , Probation and Parole District 6 Probation Officer	Supervised the progress of each participant while in the program.
<b>Danielle Easter</b> , Veterans Justice Outreach Specialist	Supervised and provided mandatory treatment for all veteran program participants.
<b>Amanda Frick</b> , Probation and Parole District 6 Employment Specialist	Aided the participants in learning job skills and obtaining employment.
<b>Sarah Gonzalez</b> , McCambridge Center Counselor	Supervises and provides mandatory treatment for all female program participants.
<b>Sean Mullins</b> , Reality House Clinical Services Counselor	Supervises and provides mandatory treatment for all male program participants.

During the year there were a total of 75 positive drug tests reported for the OnTrack Court participants. The most popular substance within this Court was marijuana as can be seen on the table to the right along with the total positive tests for each substance. It should be noted that some substances, such as amphetamines and opiates, can also be found in medications approved by the OnTrack Court Team for the purpose of treating a participant's illness or injury.

Positive Drug Test Results	
Alcohol	16
Amphetamines	5
Cocaine	9
Marijuana	27
Opiates	8
Phencyclidine	10

The OnTrack Court was designed to graduate compliant participants from the program in six months instead of the one year time period normally used by treatment courts. In 2013, the average length of time it took a participant to successfully complete the program was just under seven months.

Participants who did not successfully complete the program were in the program for an average of almost a full six months. There were a total of 25 terminations in 2013 and 11 of those participants absconded. On average, those that absconded from the program left after participating for only four months. The number of exits are grouped into categories and shown below.

2013 OnTrack Court Exits	
Successful Completion	31
Unsuccessful Completion	25
Administrative Discharge	3
Transferred to Other Treatment Court	5

It has been five years since the first Boone County Reintegration Court graduate exited the program. In 2008, there were 25 participants that exited the program successfully. Ten of those graduates reoffended resulting in 17 new cases filed against them. When the 10 who reoffended entered the Reintegration Court they had a total of 11 cases between them. Those charges can be seen on the table below, which is followed by a table showing the list of post-graduation charges for comparison. Only criminal cases are reported, and cases that were dismissed or filed outside of the State of Missouri are not included.

Charges of the Reoffending Graduates at Admission	
Physically Take Property Appropriated From Victim (Felony C)	1
DWI-Alcohol-Aggravated Offender (Felony C)	2
Nonsupport In Each Of Six Individual Months Within Any Twelve-Month Period, Amount Owed Is In Excess Of \$5000 (Felony D)	1
Forgery (Felony C)	2
DWI-Alcohol-Persistent Offender (Felony D)	1
Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana (Felony C)	1
Stealing Related Ofns-3 <sup>rd</sup> Ofns – Stealing, Buying, Receiving, Robbery (Felony D)	2
Unlawful Use Of A Weapon-Subsections 1-4 (Felony D)	1
Trafficking In Drugs In The Second Degree (Felony B)	1
Resisting/Interfering With Arrest For A Felony (Felony D)	1

**Charges Graduates Received  
After Successful Completion in 2008**

Non-Support, Total Arrears In Excess Of 12 Monthly Payments Due Under Order Of Support (Felony D)	2
DWI-Alcohol-Chronic Offender (Felony B)	1
DWI-Alcohol-Aggravated Offender (Felony C)	1
DWI-Alcohol-Persistent Offender (Felony D)	1
Theft/Stealing – Value Of Property Or Services Is Less Than \$500 (Misdemeanor A)	1
Operated Motor Vehicle On Highway While Drivers License/Privilege Revoked – Suspended For Points (Misdemeanor A)	1
Driver/Front Seat Passenger Fail To Wear Properly Adjusted/Fastened Safety Belt (Infraction)	2
Operate Motor Vehicle On Hwy While Driver License/Privilege Revoked – Revoked For Points/Fail To Submit To Chemical Test (Misdemeanor A)	1
As Owner, Oper Or Auth Another To Oper A Mtr Veh W/Out Maintain Financial Responsibility – Mtr Veh Reqrd To Be Reg (Misdemeanor C)	1
Driving While Revoked/Suspended-2 <sup>nd</sup> Or Subsequent Offense (Misdemeanor Unclassified)	1
Pease Disturbance, First Offense (Misdemeanor B)	1
Domestic Assault-3 <sup>rd</sup> Degree-1 <sup>st</sup> /2 <sup>nd</sup> Offense (Misdemeanor A)	1
Deliver/Attempt to Deliver/Poss/Deposit/Conceal Substance at Corr Fac, City/Co Jail or Priv Prison/Jail (Felony C)	1
Possession Of Up To 35 Grams Of A Synthetic Cannabinoid (Misdemeanor A)	1
Assault 3 <sup>rd</sup> Degree-Pursuant To Subdivisions 1, 2, 4, 6 (Misdemeanor A)	1
Trespass-1 <sup>st</sup> Degree (Misdemeanor B)	1
Operated Vehicle On Why Without Valid License-1 <sup>st</sup> Or 2 <sup>nd</sup> Offense (Misdemeanor A)	1
Theft/Stealing – Value Of Property Or Services Is \$500 Or More But Less Than \$25,000 (Felony C)	1
Forgery (Felony C)	1
Person, Firm, Corp Or Assoc Violating Any Of The Order/Ordinances Adopted, Promulgated, Published By County Comm (Misdemeanor A)	1

## DWI Court

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### **PERFORMANCE MEASURES**

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#### **Boone County**

*Referrals: 34*

*Denied Referrals: 9*

*Admissions: 20*

*Graduates: 12*

*Terminations: 1*

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#### **Callaway County**

*Referrals: 10*

*Denied Referrals: 2*

*Admissions: 8*

*Graduates: 3*

*Terminations: 1*

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#### **Combined**

*Referrals: 44*

*Denied Referrals: 11*

*Admissions: 28*

*Graduates: 15*

*Terminations: 2*

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The DWI Courts were developed to enhance the public's safety by providing a judicially supervised regimen of treatment to alcohol dependent offenders convicted of Driving While Impaired. The goal of the program is to return sober, law-abiding citizens back to the community and close the "revolving door" of the criminal justice system to those who would otherwise be likely to re-offend and pose a significant danger to the community. Both counties within the 13<sup>th</sup> Judicial Circuit have a DWI Court. Boone County was the first to establish a DWI Court in March of 2010. Shortly thereafter on January 9, 2012, a DWI Court was also added in Callaway County.

By taking part in the DWI Court program, participants gain access to a variety of comprehensive services that help them turn their lives around. Participants are required to attend regular court appearances before the DWI Court Judge and also participate in treatment such as drug testing, individual counseling, and group counseling. DWI Court participants are also expected to obtain and maintain employment or involvement in vocational or educational programs and are encouraged to maintain regular attendance at 12-Step meetings.

In 2013, a total of 44 defendants were referred to the DWI Courts of the 13<sup>th</sup> Judicial Circuit. Ten in Callaway County, and 34 in Boone County. Each defendant referred to the program is screened for eligibility, which is determined by reviewing the defendant's history. Criminal activity, substance abuse and addiction history, driving record, license revocations, probation history, co-occurring diagnosis, residency, age, and suitability for the program are all taken into consideration when screening an individual. To be eligible the defendant must have been determined to require substance abuse treatment and have either pleaded guilty or have been found guilty of three or more intoxication-related offenses. Of the 44 referred in 2013, 24 were admitted into the programs, plus an additional four that had been referred the previous year, giving the DWI Courts a total of 28 admissions. The table on the next page shows referral and admission data by county.

2013	Boone County	Callaway County
Referrals in 2013	34	10
Denied Referrals Originating in 2013	8	2
Denied Referrals Originating in 2012	1	0
Pending Referrals	10	0
Admissions from 2013 Referrals	16	6
Admissions from 2012 Referrals	4	2

Admissions data is broken down further in the next two tables showing participants' level of education, gender, race, and age. The youngest, age 22, and the oldest, age 52, were both participants of the Boone County DWI Court.

Boone County					
Gender		Age		Level of Education	
Male	17	20-29	6	Less Than High School Diploma	3
Female	3	30-39	5	High School Equivalency/GED®	4
Race		40-49	6	High School Diploma	5
White	17	50-59	3	Some Secondary Education	6
Black	2			Bachelor's Degree	2
Hispanic	1				

The length of the DWI Court program is determined by each participant's progress and is a minimum of one year with a maximum of two years. In 2013, the average participation time for Boone County DWI Court participants was 365 days and 405 days for Callaway County DWI Court participants. It should be noted that the Callaway County DWI Court only holds graduations four times a year while the Boone County DWI Court allows participants to graduate on their one year anniversary.

Callaway County					
Gender		Age		Level of Education	
Male	7	20-29	3	High School Equivalency/GED®	2
Female	1	30-39	3	High School Diploma	2
Race		40-49	1	Some Secondary Education	2
White	8	50-59	1	Education Unknown	2

Each year the 13<sup>th</sup> Judicial Circuit sees the majority of the DWI Court participants successfully complete the program, and this year was no exception. A total of 15 participants graduated in 2013, three from Callaway County and 12 from Boone County. Only two participants of the 17 that exited the program were terminated, one in each county.

Random drug testing for the DWI Court participants in Boone County revealed benzodiazepine to be the most used drug within this group. The 23 positive test results reported on the table below include positive test results from relapse and also from medications approved by the DWI Court Team. From time to time the Team must excuse positive test results when participants are prescribed medication by a physician due to illness, injury, or surgery. Although participants are held accountable for each positive drug test by the Callaway County DWI Court Team, the testing data is not collected for the purpose of including it in this annual report.

Boone County DWI Court Positive Drug Test Results	
Benzodiazepine	15
Alcohol	1
Opiates	6
Marijuana	1

In 2013, DWI Court was held a total of 42 days by Judge Bradley in Boone County and a total of 46 days by Judge England in Callaway County. On average, the DWI Court in Boone County has about 21 participants in the program each month while the Callaway County program averages about 10. Each county has a team of 9 members who meet weekly for a staffing followed by DWI Court. Team members are listed below.

Boone County DWI Court Team Members
<b>Michael Bradley</b> , Boone County Associate Circuit Division IX Judge Serves as the Judge of the DWI Court
<b>Clayton VanNurden</b> , DWI Court Administrator Manages the day-to-day running of the DWI Court
<b>Megan Jones</b> , Probation and Parole District 6 Probation Officer Supervised the progress of each participant while in the program
<b>Whitney Hines</b> , McCambridge Center Counselor Supervises and provides mandatory treatment for all female program participants
<b>Blair Campmier</b> , Reality House Clinical Services Counselor Supervises and provides mandatory treatment for all male program participants
<b>Dennis Winfrey</b> , Reality House Programs Executive Director Oversees and manages the Reality House Programs corporate operation
<b>Andrew Taegel</b> , Phoenix Programs Counselor Supervises and provides mandatory treatment for all program participants
<b>Dana Thompson</b> , Reality House Tracker Monitors participants with home visits and reports community involvement to the Team
<b>Pete Schmershal</b> , Reality House Tracker Monitors participants with home visits and reports community involvement to the Team

### Callaway County DWI Court Team Members

**Carol England**, Callaway County Associate Circuit Division VI Judge

Serves as the Judge of the DWI Court

**Michael Princivalli**, DWI Court Administrator

Manages the day-to-day running of the DWI Court

**Casey Clevenger**, Assistant Prosecuting Attorney

Ensures that participants are appropriate for the program and complies once admitted

**Derek Hux**, Public Defender

Protects participants' due process rights while encouraging program participation

**Stephen Dittmer**, Family Counseling Center Counselor

Supervises and provides mandatory treatment for all program participants

**Thomas Powell**, Probation and Parole District 26 Probation Officer

Supervised the progress of each participant while in the program

**Ronnie O'Neal**, DWI Court Tracker

Monitors participants with home visits and reports community involvement to the Team

**Curtis Hall**, Callaway County Sheriff's Deputy

Acts as a liaison between the Sheriff's Department and the DWI Court Team reporting contact law enforcement with participants

**Dall Hedges**, Fulton Police Officer

Acts as a liaison between the Fulton Police and the DWI Court Team reporting law enforcement contact with participants

## Veterans Treatment Court

### **PERFORMANCE MEASURES**

#### **Admissions/Exits**

*Referrals: 18*

*Denied Referrals: 5*

*Admissions: 13*

*Graduates: 1*

*Terminations: 1*

The Veterans Treatment Court of the 13<sup>th</sup> Judicial Circuit was created to serve military veterans and sometimes active-duty personnel who have been charged with a criminal offense in Boone or Callaway County. The Court was started in 2013 with funds contributed by Veterans United Foundation. Each defendant referred to the program is screened by the treatment court administrator for eligibility. Those eligible for the court-supervised comprehensive treatment program have been determined to require substance abuse treatment and/or have a diagnosed mental health condition. The participants of the program consist of first time non-violent offenders, probationers, and offenders who are returning to the community from the Missouri Department of Corrections. Counseling is provided by the Harry S. Truman Memorial Veterans' Hospital and random drug testing by Avertest. In addition to treatment, the program also gives participants structure and expects them to meet with an assigned veteran mentor, obtain and maintain employment or involvement in vocational or educational programs, and attend 12-Step meetings such Narcotics Anonymous or Alcoholics Anonymous. Successful completion of the program requires a minimum participation of one year and no longer than two years.

The Veterans Treatment Court of the 13<sup>th</sup> Judicial Circuit began accepting referrals of defendants interested in participating in June 2013. In the first year a total of 18 defendants were referred to the Court. Thirteen of those were admitted into the program and 5 were denied admission. The reasons for denial can be viewed on the chart below.

Reason for Non-Admission	
The defendant referred was not a resident within the 13 <sup>th</sup> Judicial Circuit	1
The defendant referred did not meet the eligibility requirements of the program	2
The defendant referred was sentenced to time in prison	2



The Veterans Treatment Court held its first court session on Wednesday, July 31, 2013, at 10:30 a.m. in Division IX. On that day one eligible referral and five participants transferring from the Boone County Drug and Mental Health Courts met in front of Judge Michael Bradley to be admitted to the newly formed Veterans Treatment Court. Those transferring into the Court were allowed to begin the program in the same phase as they were participating in prior to the transfer.

Not long after the first court appearance, an additional seven defendants were admitted into the program before the end of the year. All remained in the program in 2013 with the exception of two participants. One was terminated for noncompliance after participating for only four months, and the other successfully completed the one year minimum requirement and became the first Veterans Treatment Court graduate. The first graduation was held on November 14, 2013, during a special ceremony that recognized the graduate and also the creation of the Veterans Treatment Court.

Gender		Age	
Male	12	20-29	2
Female	1	30-39	3
Race		40-49	2
White	11	50-59	5
Black	2	60-69	1

Level of Education	
High School Equivalency/GED®	1
High School Diploma	3
Some Secondary Education	5
Associates Degree	2
Bachelor's Degree	2

The demographics of the group that participated in the Veterans Treatment Court during 2013 can be seen to the left along with the participants' level of education upon entry into the program. The majority of the

participants for the year were white males of middle age or older. The youngest participant was 27 years of age and the oldest was 64.

The Veterans Treatment Court participants are required to submit to random drug testing throughout their time in the program. In 2013 the Veterans Treatment Court participants tested positive for alcohol, marijuana, cocaine, and amphetamines. The total positive test results for each substance can be seen on the chart.

Positive Drug Test Results	
Alcohol	4
Marijuana	5
Cocaine	4
Amphetamines	1

A variety of charges brought the participants to the Veterans Treatment Court, which are listed on the next page. Only 2 of the 13 participants had the same charge. The growth of the Court averaged about 2 admissions per month. Ten of the participants were assigned to the probation track of the program. There were only 2 who participated in the reentry track and 1 in the pre-plea division track.

Charges
Assault-L/E, C/O, E/P, Hwy Wkr in Construc/Wrk Zone, Utility Worker or P&P-Apprehension of Physical Injury 3 <sup>rd</sup> Degree (Misdemeanor A)
Burglary-2 <sup>nd</sup> Degree (Felony C)
Forgery (Felony C)
Receiving Stolen Property (Felony C)
Unlawful Possession of a Firearm (Felony C)
Unlawful Use of Loaded Firearm/Projectile Weapon by Intoxicated Person (Subsection 5) (Felony D)
Possession of Controlled Substance Except 35 Grams or Less of Marijuana (Felony C)
Dist/Del/Manf/Produce or Attempt to Or Possess W/Intent to Dist/Del/Manf/Produce a Controlled Substance (Felony B)
DWI-Alcohol-Prior Offender (Misdemeanor A)
DWI-Alcohol-Aggravated Offender (Felony C)
DWI-Drug Intoxication-Persistent Offender (Felony D)
Leaving Scene of Motor Vehicle Accident-Injury, Property Damage or 2 <sup>nd</sup> Offense (Felony D)

Participants have frequent court appearances in front of the Veterans Treatment Court Judge. The frequent contact gives participants the opportunity to discuss with the Judge their progress throughout the program and be held accountable for their actions. Court was held a total of 18 days in 2013. Prior to each court appearance the Veterans Treatment Court Team meets for a staffing to discuss the advancement of the participants. The names and the roles of the Veterans Treatment Court Team Members are listed below.

Veterans Treatment Court Team Members
<b>Michael Bradley</b> , Boone County Associate Circuit Division IX Judge Serves as the Judge of the Veterans Treatment Court
<b>Clayton VanNurden</b> , Veterans Treatment Court Administrator Manages the day-to-day running of the Veterans Treatment Court
<b>Brandy Clark</b> , Veterans Treatment Court Mentor Coordinator Recruits, trains, and maintains a pool of veteran mentors who are matched with participants
<b>Zane Hake</b> , Probation and Parole District 6 Probation Officer Supervised the progress of each participant while in the program
<b>Danielle Easter</b> , Veterans Justice Outreach Specialist Supervises and provides mandatory treatment for all program participants
<b>Jason Howe</b> , Veterans Treatment Court Peer Support Specialist Provides employment assistance to participants as needed
<b>Dana Thompson</b> , Reality House Tracker Monitors participants with home visits and reports community involvement to the Team